

**ERIE COUNTY SEWER AGENCY REPORT
FOR
ERIE COUNTY SEWER DISTRICT NO. 1
SEWER DISTRICT EXTENSION
CURRENT OUT OF DISTRICT CUSTOMERS**

PURPOSE OF PROJECT

The purpose of this Sewer Agency Report (Report) is to initiate the process of considering the extension of the boundaries Erie County Sewer District No. 1 (ECSD No. 1) to include sanitary sewer service areas currently serviced as out of district customers.

In accordance with Article 5A of County Law, this Report serves as the "maps and plans" as required for the Board of Supervisors (the Erie County Legislature) to use in determining if it is in the public interest to extend a County Sewer District. In addition to this Report, the Legislature shall also consider any public comments received, both at a formal public hearing on the matter or otherwise, prior to acting on the proposed District extension.

GENERAL INFORMATION

ECSD No. 1 is located in central Erie County (Exhibit A) and provides wastewater collection and conveyance services for portions of the Towns of Cheektowaga and West Seneca. The original district was created on July 14, 1959 to service the French Road area in Cheektowaga and the Gardenville area in West Seneca. The sanitary sewage collected in ECSD No. 1 is ultimately transmitted to the Buffalo Sewer Authority owned Bird Island Wastewater Treatment Plant (WWTP).

Sewage from the proposed extensions (Exhibit A, B, C and D) are already collected in the system and treated at the Bird Island WWTP.

AGENCY REPORT BACKGROUND

The proposed extension of District boundaries to include current out of district customers is detailed in the boundary description include in the Exhibits. The sanitary sewer system in these

areas are already installed and privately owned, operated and maintained. If the extension of ECSD No. 1 is effectuated, the County's assets will remain the same.

CAPITAL PROJECT COSTS

No additional capital project costs are associated with this proposed extension.

OPERATIONS AND MAINTENANCE (O&M) COSTS

No additional operations and maintenance costs are associated with this proposed extension. ECSD No. 1 already provides operation and maintenance of this portion of the service area pursuant to the existing out of district customer agreement.

CONNECTION CHARGES

Connection charges have already been collected for all properties in this proposed extension. Additionally, as out of district customers are charged in the same manner as customers within the boundaries of the sewer district, there will be no impact on the ECSD No. 1 rates due to this action.

NEW YORK STATE AUDIT AND CONTROL

New York State Comptroller's office approval is required for sewer district extensions that result in debt and lead to cost increases over defined thresholds. Based on the fact that the extension of the District to include the current out of district customers would have no impact on the sewer rates within ECSD No. 1 and that no debt would be incurred as a result of this action, submittal of an application to New York State Audit and Control for approval is not required.

BOARD OF MANAGERS REVIEW

This Project has been previously discussed with the Board of Managers for ECSD No. 1. Based on these discussions and review of this Sewer Agency Report, the Board approved this Erie County Sewer Agency Report on _____ and requested the Erie County Legislature to approve an extension to ECSD No. 1 to incorporate the area identified in

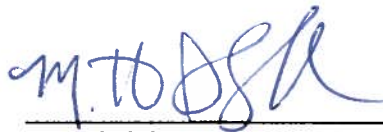
Exhibits A, B, C and D, to be known as the "Current Out of District Customers Extension". A copy of the Board of Managers resolution pertaining to this extension is presented in Exhibit 2.

RECOMMENDATIONS

The Erie County Sewer Agency, the Department of Environment and Planning, and the ECSD No. 1 Board of Managers recommend that the Erie County Legislature should:

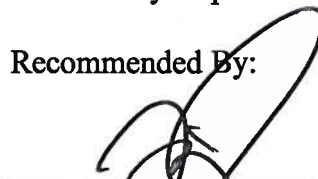
1. Accept and adopt this Sewer Agency Report which calls for extension of ECSD No. 1 to include the sanitary sewer service areas currently serviced as out of district customers, to be known as the "Current Out of District Customers Extension";
2. Adopt the necessary resolutions for approval of an extension to ECSD No. 1 pursuant to Article 5A of County Law;
3. Adopt the necessary resolutions calling for a Public Hearing;
4. Adopt the necessary resolutions calling for an extension of Erie County Sewer No. 1 pursuant to Section 274, Article 5A of County Law, subject to a Permissive Referendum;
5. Approve an extension of ECSD No. 1 to be known as the "Current Out of District Customers Extension."

Prepared By:



Matt Salah, P.E.
Sr. Coordinator – Sewer Construction Projects
Erie County Department of Environment & Planning

Recommended By:



Joseph L. Fiegl, P.E.
Deputy Commissioner
Erie County Department of Environment and Planning

Approved By:

_____, CHAIR

Board of Managers,
Erie County Sewer District No. 1

Dated: _____

JLF:mas
7/14/2015
1.11.0. SAR

EXHIBIT 1

Map of ECSD No. 1

ERIE COUNTY SEWER DISTRICT NO. 1



ERIE COUNTY
DEPARTMENT OF ENVIRONMENT AND PLANNING
DIVISION OF SEWERAGE MANAGEMENT
95 FRANKLIN ST. BUFFALO, N.Y. 14202

 ECSD No.1 BOUNDARY

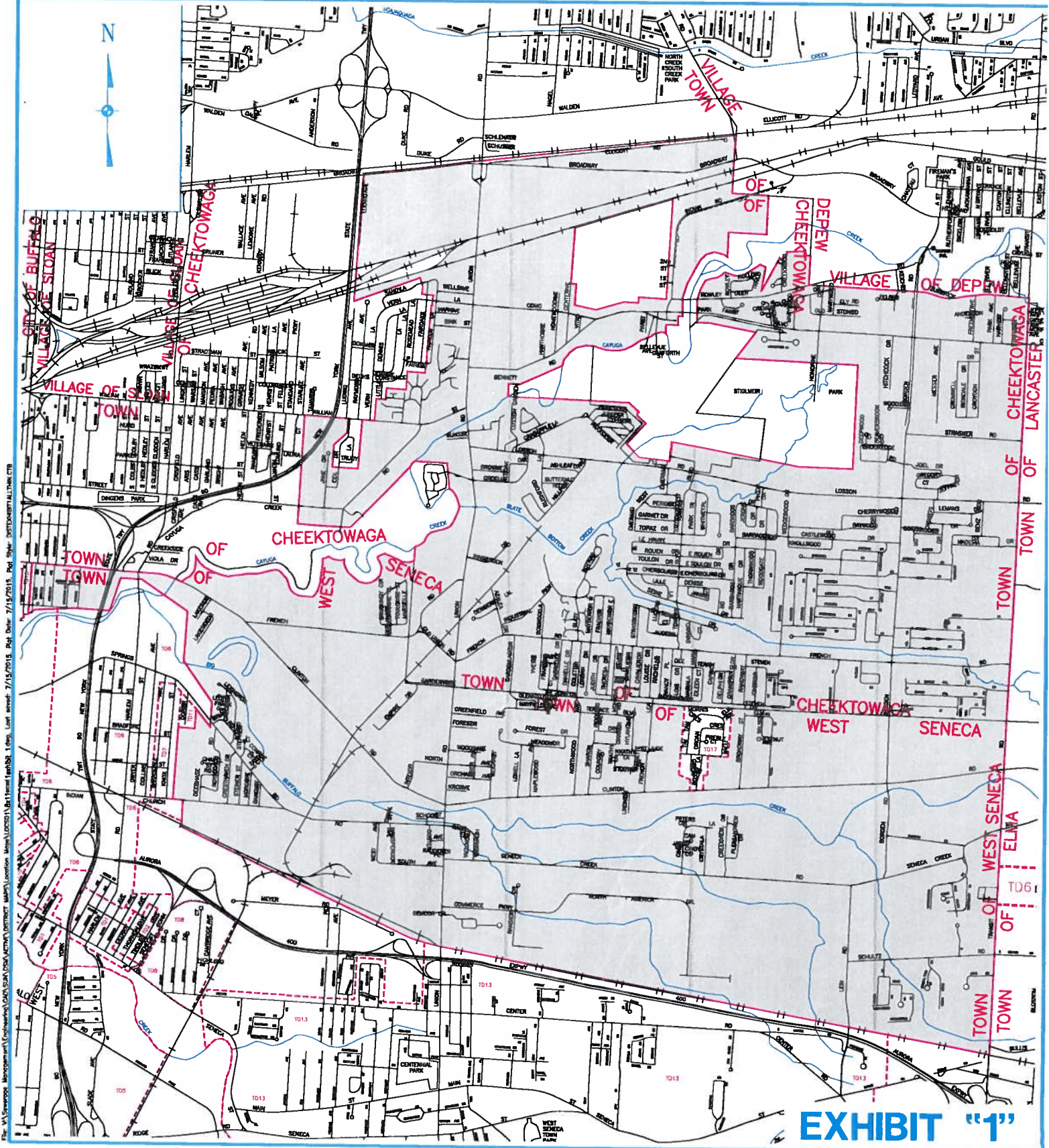
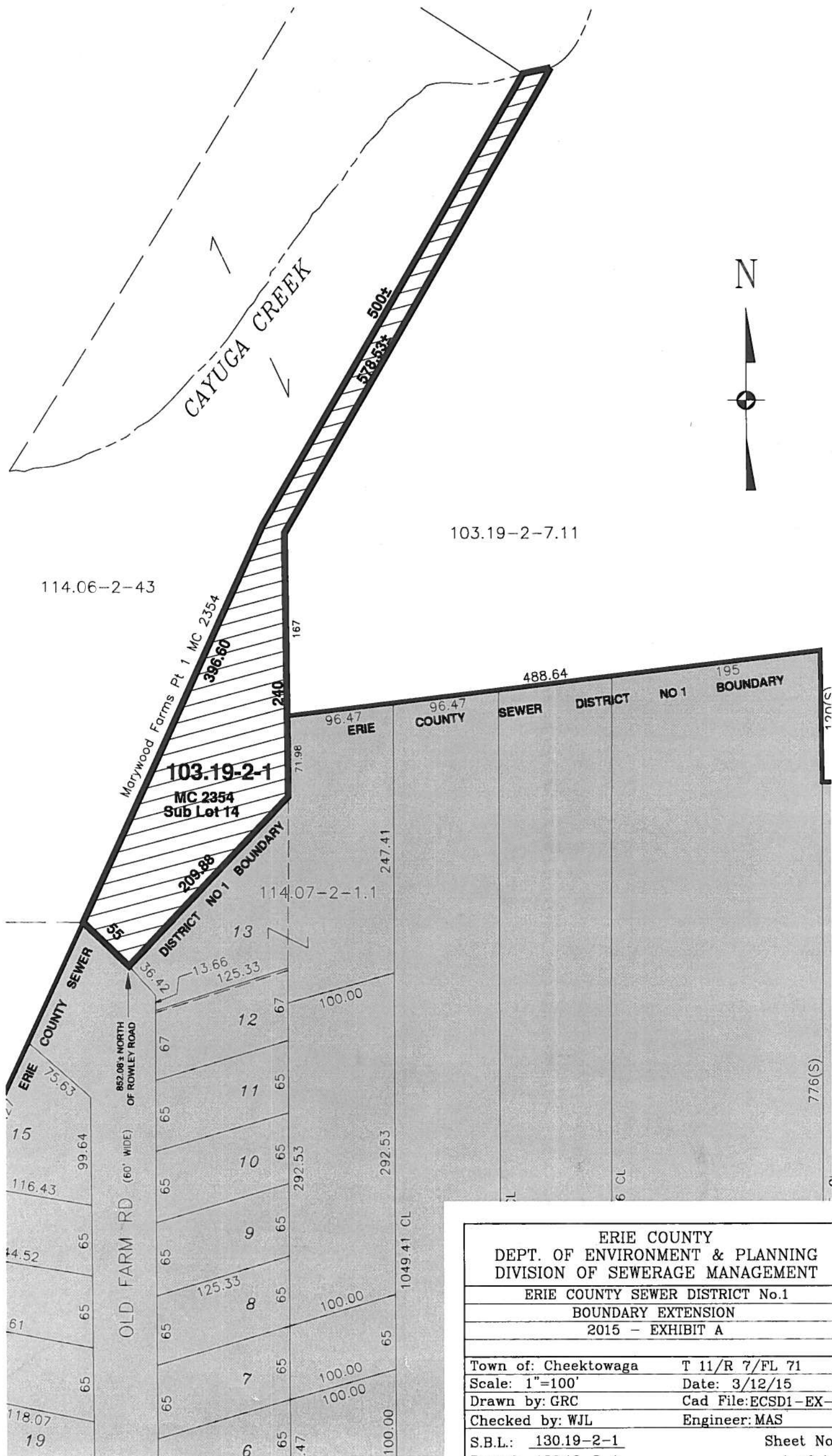


EXHIBIT A-D

Boundary Description and Maps of Proposed Extension

**Erie County Sewer District No. 1
Boundary Extension
2015 – Exhibit A**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheekowaga, County of Erie, State of New York, being part of lot number 71, Township 11, Range 7, of The Holland Land Company's Survey, and distinguished as Subdivision Lot Number Fourteen (14) as shown on Map entitled "Marywood Farms Part I" filed in the Erie County Clerk's Office under Cover Number 2354 and as shown on attached sketch "2015 – Exhibit A"



ERIE COUNTY DEPT. OF ENVIRONMENT & PLANNING DIVISION OF SEWERAGE MANAGEMENT	
ERIE COUNTY SEWER DISTRICT No.1 BOUNDARY EXTENSION 2015 - EXHIBIT A	
Town of: Cheektowaga	T 11/R 7/FL 71
Scale: 1"=100'	Date: 3/12/15
Drawn by: GRC	Cad File: ECSD1-EX-A
Checked by: WJL	Engineer: MAS
S.B.L.: 130.19-2-1	Sheet No.
Parcel: 130.19-2-1	1 of 1

Erie County Sewer District No. 1
Non-Contiguous Boundary Extension
2015 – Exhibit B

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie, State of New York, being part of lot numbers 125 & 126, Township 10, Range 7, of The Buffalo Creek Reservation, Bounded and described as follows:

Beginning at a point of intersection of the northerly line of Mineral Springs Road (66' Wide) and the westerly line of Harlem Road (100' Wide), Said point being the south east corner of lands recorded in the Erie County Clerk's Office in Liber 11105 of Deeds at Page 1333; Thence northwesterly along said northern line of Mineral Springs Road a distance of eight hundred twenty nine and nineteen hundredths feet (829.19') to an angle point; Thence continuing along said northern line of Mineral Springs Road in a southwesterly direction a distance of two hundred forty six and nineteen hundredths feet plus or minus (246.19'±) to a point, said point being the easterly bounds of The New York State (NYS) Thruway, Erie Section, map number 349 as shown on appropriation recorded in Liber 6015 of Deeds at Page 160, Said point also being the south west corner of lands described in Liber 10344 of deeds at Page 355; Thence northerly along said easterly bounds of NYS Thruway the following five courses and distances:

- 1) N 01°51'05" E, 204.60 feet to an angle point therein;
- 2) N 45° W, 40.00 feet to an angle point therein;
- 3) N 01°51'05" E, 70.00 feet to an angle point therein;
- 4) N 45° E, 40.00 feet to an angle point therein;
- 5) N 01°51'05" E 47.70± feet to a concrete monument at the southwest corner of lands recorded in Liber 8282 of Deeds at Page 131;

Thence continuing north along said NYS Thruway a distance of two hundred sixty six and fifteen hundredths feet (266.15') and one hundred forty four and fifty four hundredths feet plus or minus (144.54+/-) to the southwest corner of Liber 10413 of Deeds at page 529; Thence easterly along the southerly line of said deed a distance of three hundred forty two and thirty five hundredths feet (342.35') to a point, said point being on the west line of liber 11233 of Deeds at Page 5146, said point also being six hundred forty and fifty nine hundredths feet 640.59' west of the west right-of-way of Harlem Road being a 100' Road; Thence northerly along said west line of Liber 11233 Pg 5146 and its extension a distance of three hundred ninety feet plus or minus (390'±) to southerly top of bank of Buffalo Creek, Said point being the southwest corner of lands described in Liber 9958 of Deeds at Page 180; Thence northeasterly

along said top of bank and following said deed nine hundred twenty five feet plus or minus (925+/-) to a point in the southwesterly line of land conveyed to County of Erie by Liber 5468 of Deeds at Page 252; Thence southeasterly along said southwest line of said deed thirty two and fifty hundreds feet (32.50') to an angle point in the west line of Harlem Road; Thence south along the west line of said Harlem Road the following distances, five hundred five and twenty two hundredths feet (505.22') and fourteen and thirty nine hundredths feet (14.39') to a point of curvature; Thence continuing southerly along the west line of said Harlem Road on a curve to the right having a radius of two thousand eight hundred fifteen feet (2815') an arc distance of one hundred twenty nine and twelve hundredths feet (129.12') to the south east corner of said Liber 9958 of Deeds at Page 180; Thence south along the west line of said Harlem Road a distance of one thousand two hundred seventeen and six hundredths feet (1,217.06') to the point of beginning and as shown on attached sketch "2015 – EXHIBIT B"

EXISTING ERIE

COUNTY SEWER DISTRICT #1 BOUNDARY

BUFFALO CREEK

NEW YORK STATE THRUWAY ERIE SECTION

STATE OF NY
1.9 A(C)
124.09-4-5.22

SW Corner
L 10413
Pg 529

126

125

Out of District
L 11083
Pg 1307

124.09-4-9.1
1.3 A(C)

124.09-4-9.2
1.9 A(C)

124.09-4-5.132
1.84 A(C)

Out of District
L 10885
Pg 2287

Out of District
L 10976
Pg 513

124.09-4-8.21
1.5A(C)

Out of District
L 11043
Pg 7052

124.09-4-7.2
1.7A(C)

SE Corner
L 11105
Pg 1353

(100' WIDE)

HARLEM RD

100' WIDE

HARLEM RD

POINT OF BEGINNING

MINERAL SPRINGS RD (100' WIDE)



ERIE COUNTY
DEPT. OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

ERIE COUNTY SEWER DISTRICT No.1
NON-CONTIGUOUS BOUNDARY EXTENSION
2015 - EXHIBIT B

Town of: WEST SENECA T10/R7/FL125&126

Scale: 1"=200' Date: 12/18/2014

Drawn by: GRC Cad File: ECSD1-EX-B

Checked by: WJL Engineer: MAS

SBL: 124.09-4-4.11, 4.21, 5.111, 5.12, 5.131, 6, 7.1, 7.2, 8.1, 8.21, 8.22, 5.132, 5.21, 9.1, 9.2

**Erie County Sewer District No. 1
Non-Contiguous Boundary Extension
2015 – Exhibit C**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie, State of New York, being part of Lot Number 129, Township 10, Range 7, of The Buffalo Creek Reservation, bounded and described as follows:

Beginning at a point in the northerly line of Mineral Springs Road (49.5' wide) a distant five hundred forty five and thirty eight hundredths feet (545.38') easterly from the point of intersection of the northerly line of Mineral Springs Road with the easterly line of South Ogden Street (60' wide), said point of beginning also being on the east line of the City of Buffalo; Thence running northerly along said east line of the City of Buffalo, two hundred twenty feet (220') to a point; Thence running easterly along a line parallel to the northerly line of Mineral Springs Road one hundred twenty five feet (125') to a point; Thence running southerly along a line parallel with the east line of the City of Buffalo two hundred twenty feet (220') to a point on the north bounds of Mineral Springs Road; Thence running westerly along said north bounds of Mineral Springs Road one hundred twenty five feet (125') to the point or place of beginning and as shown on attached sketch "2015 – Exhibit C"

N



SOUTH OGDEN 60' WIDE

1.98 A(C)
123.16-1-2.2
L.11200 P.9404

9.1 A(C)
123.16-1-2.1
L.9202 P.83

129

20

251.01

CITY OF BUFFALO

TOWN OF WEST SENECA

30

314.48

123.67-2-17

550.82

125

123.16-1-1

0.61 A(C)

L.11184 P.4071

OD Agreement

L.11126 P.5656

123.16-1-2.3
L.11200 P.9404

#400

125

20

52.4

Point of Beginning
545.38' To The Easterly Line
of South Ogden Street

MINERAL SPRINGS RD

345(S)

(49.5' WIDE)

600(S)

MC 599

3

8

28(S)

9

90

90

11

27

30

26

13

60

14

26(S)

15

120(S)

2

16

18

25(S)

19

120

120

3

CITY OF BUFFALO

TOWN OF WEST SENECA

BLOCK B

20

130
1/2

ERIE COUNTY
DEPT. OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

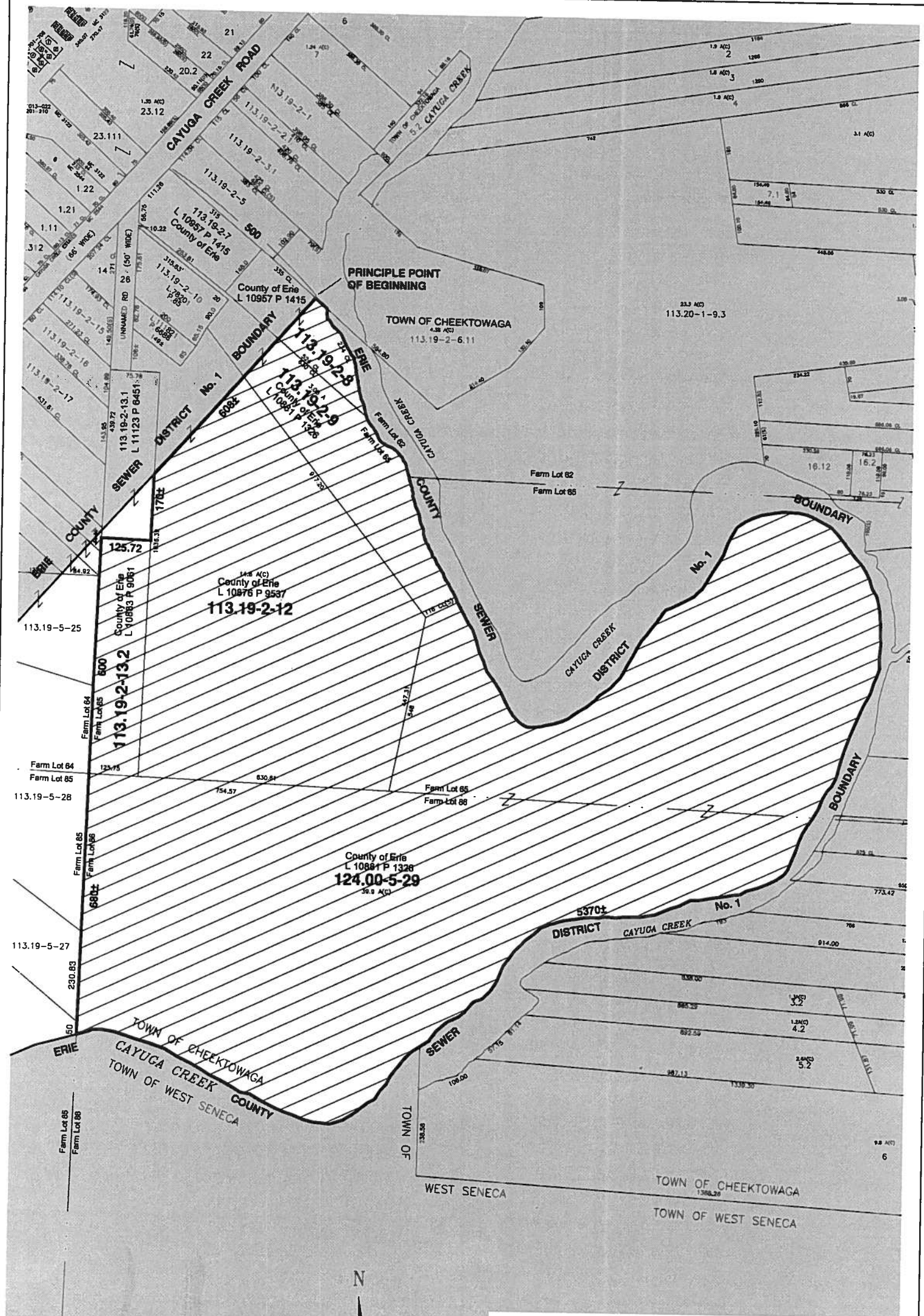
ERIE COUNTY SEWER DISTRICT No.1
NON-CONTIGUOUS BOUNDARY EXTENSION
2015 - EXHIBIT C

Town of: WEST SENECA	T 10/R 7/FL 129
Scale: 1"=100'	Date: 12/19/14
Drawn by: GRC	Cad File: ECSD1-EX-C
Checked by: WL	Engineer: MAS
S.B.L.: 123.16-1-1	Contract No. _____
Parcel: 400 Mineral Springs	Sheet No. 1 of 1

Erie County Sewer District No. 1
Boundary Extension
2015 – Exhibit D

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, Being part of Lot No. 65 & 86, Township 10, Range 7 of the Buffalo Creek Reservation and being described as follows;

Beginning a point in the southerly line of Cayuga Creek Road (66' wide) where it meets the northeast corner of lands conveyed to the County of Erie by Liber 10957 Page 1415; Thence southeasterly along the northerly line of said County of Erie lands a distance of 500 feet to the center of Cayuga Creek and the PRINCIPLE POINT OF BEGINNING, said point being on the Boundary Line of Erie County Sewer District No. 1 Extension 1, Part A – Carefree Trailer Park as established November 16, 1978; Thence running southeasterly, northeasterly, Southerly, southwesterly, and westerly along said centerline of Cayuga Creek and along said District Boundary as it meanders a distance of 5370± feet to the west line of Lot No. 86; Thence north along said west line a distance of 680± feet to the northwest corner of said Lot; Thence continuing north along the west bounds of Lot No. 65 a distance of 600 feet to the northwest corner of lands conveyed to the County of Erie by Liber 11231 Page 6452; Thence east along the north line of said County lands a distance of 125.72 feet to the northeast corner of said County lands; Thence north along the east line of lands conveyed to Richard J. Viggato by Liber 11123 Page 6451 a distance of 170± feet to a point 500 feet southeast from the southerly line of Cayuga Creek Road (66' wide), said point being on the Erie County Sewer District No. 1 Boundary; Thence northeasterly and parallel to said southerly line of Cayuga Creek Road and along said District Boundary a distance of 608± feet to the Principle Point of Beginning and as shown on attached sketch "2015 – Exhibit D"



ERIE COUNTY
DEPT. OF ENVIRONMENT & PLANNING
DIVISION OF SEWERAGE MANAGEMENT

ERIE COUNTY SEWER DISTRICT No.1
BOUNDARY EXTENSION
2015 - EXHIBIT D

Town of Cheektowaga	T 10/R 7/FL 65 & 86
Scale: 1"=300'	Date: 3/12/15
Drawn by: GRC	Cad File: ECSD1-EX-D
Checked by: WJL	Engineer: MAS
S.B.L.: 124.00-5-29 & 113.19-2-13.2 Sheet No.	
& nt of 113.19-2-8 a & 12 1 of 1	

EXHIBIT 2

**ECSD No. 1 Board of Managers
Resolution**

**RESOLUTION
BOARD OF MANAGERS
ERIE COUNTY SEWER DISTRICT NO. 1 (ECSD No. 1)**

WHEREAS, Erie County Sewer District No. 1 and the Erie County Department of Environment and Planning have prepared a Sewer Agency Report for consideration by the Erie County Sewer District No. 1 Board of Managers calling for the Extension of Erie County Sewer District No. 1 to include current out of district customers; and

WHEREAS, the aforementioned Sewer Agency Report described the areas to be included in the proposed extension to be known as the "Current Out of District Customers Extension"; and

WHEREAS, the Department of Environment and Planning has provided information relative to the project's costs and the project's impact on the sewer charge structure to the properties in the proposed "Current Out of District Customers Extension".

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sewer District No. 1 Board of Managers does hereby accept and adopt this subject Sewer Agency Report and further, recommends that this Sewer Agency Report be submitted to the Erie County Legislature for further consideration and action pursuant to Article 5A, County Law; and be it further

RESOLVED, that the Erie County Sewer Agency be directed to pursue with the Erie County Legislature, an extension of Erie County Sewer District No. 1 to be known as the "Current Out of District Customers Extension" pursuant to Section 274, Article 5A of County Law.

Respectfully submitted,

Matt A. Salah, P.E.
SECRETARY, BOARD OF MANAGERS
Erie County Sewer District No. 1

MOVED BY: _____

SECONDED BY: _____

APPROVED/DISAPPROVED: _____

DATE: _____

JLF:mas
7/14/2015
1.11.0.SAR